

EXHIBIT 2

David Montpas

From: Molly Thomas-Jensen <mthomasjensen@everytown.org>
Sent: Thursday, March 9, 2023 4:00 PM
To: David Montpas
Cc: etirschwell@everytown.org; rgerber@everytown.org; lkeeley@everytown.org; Lopez.LMLawgroup@gmail.com; Moreno.LMLawGroup@gmail.com; delgadoblas@yahoo.com; David Prichard; Karla McDonald
Subject: Re: Torres v. Daniel Defense
Attachments: 165600 {2} TORRES - MOTION TO EXCEED PAGE LIMITS AND EXTEND RESPONSE DEADLINES (ID 165600)_Everytown Edits.docx

Hi David -

I made a few edits, which are in redline in the attached document. Let me know if you have any questions.

Thanks!
Molly

On Thu, Mar 9, 2023 at 3:07 PM David Montpas <dmontpas@prichardyoungllp.com> wrote:

Molly,

Here's what we are planning to file.

David

From: Molly Thomas-Jensen <mthomasjensen@everytown.org>
Sent: Thursday, March 9, 2023 12:06 PM
To: David Montpas <dmontpas@prichardyoungllp.com>
Cc: etirschwell@everytown.org; rgerber@everytown.org; lkeeley@everytown.org; Lopez.LMLawgroup@gmail.com; Moreno.LMLawGroup@gmail.com; delgadoblas@yahoo.com; David Prichard <dprichard@prichardyoungllp.com>; Karla McDonald <kmcdonald@prichardyoungllp.com>
Subject: Re: Torres v. Daniel Defense

Hi David,

You can indicate in the title of the motion that it is unopposed, but before you file, could you send us the text of what you will represent to the court re: the agreed motion to extend deadlines, so that we can review?

Thanks,
Molly

On Thu, Mar 9, 2023 at 12:47 PM David Montpas <dmontpas@prichardyoungllp.com> wrote:

Molly,

We would agree to this with a clarification.

We agree to a two-week extension for your response (to April 6) and a one-week extension for our reply (April 20). If you determine you need to exceed the page limit, again, we would not oppose giving you the same number of pages we used for your response. You state that Plaintiffs do not oppose the extension request, but that we should state in the Certificate of Conference that Plaintiffs are "not taking a position" on our request for a page extension. Local Rule CV-7(g) states that movants are "encouraged to indicate in the title of the motion" whether its is opposed and that a motion is "unopposed" only if "there is no opposition to any of the relief requested in the motion." We want to represent to the Court that it is unopposed as it will expedite a ruling. What I have in mind is filing a document styled:

Daniel Defense's: (1) Unopposed Motion to Exceed the Page Limits for its Amended Rule 12(b)(6) Motion, and (2) Agreed Motion to Extend the Deadlines to File the Response and Reply Briefs.

But I don't want to represent the former is unopposed unless it truly is as defined by the local rule's standard. In short, I just want to clarify that we can list you as unopposed.

If that is the case, then are you agreeable to motion as I am proposing it?

Thanks,

David

From: Molly Thomas-Jensen <mthomasjensen@everytown.org>

Sent: Thursday, March 9, 2023 8:53 AM

To: David Montpas <dmontpas@prichardyoungllp.com>

Cc: etirschwell@everytown.org; rgerber@everytown.org; lkeelely@everytown.org; Lopez.LMLawgroup@gmail.com; Moreno.LMLawGroup@gmail.com; delgadoblas@yahoo.com; David Prichard <dprichard@prichardyoungllp.com>;

Karla McDonald <kmcdonald@prichardyoungllp.com>

Subject: Re: Torres v. Daniel Defense

Hi David,

Thank you for writing. Given the length of your proposed brief, we think it makes sense to extend our briefing schedule so we have adequate time to respond. We'd propose that Plaintiffs be given two extra weeks for our opposition, and we are happy to consent to you having an extra week for your reply. We may also reach out seeking consent for additional pages for our opposition brief, but we'll make that determination after we've reviewed your brief. If you consent to this schedule, and agree to not opposing our filing an opposition brief up to the length of your moving brief, you may represent to the Court that "Plaintiffs take no position on Defendants' request for leave to file a brief with excess pages." Please let us know if you'd like to include the request for the extended briefing schedule in your motion for leave to file a brief with excess pages.

Thanks,

Molly

On Wed, Mar 8, 2023 at 5:28 PM David Montpas <dmontpas@prichardyoungllp.com> wrote:

Molly,

We will be filing an Amended Rule 12(b)(6) motion tomorrow to respond to the new allegations in Plaintiffs' Amended Complaint. Once again, we will ask the Court for leave to exceed the page limits. To respond to the additional allegations, our motion is now at 44 pages. Please advise if you oppose our request for leave so that we may note that in the Certificate of Conference. We, of course, will not oppose a comparable extension for Plaintiffs' response.

Thanks,

David

David R. Montpas

Prichard Young

Union Square, Suite 600

10101 Reunion Place

San Antonio, Texas 78216

(210) 477-7417 [Direct Dial]

(210) 477-7450 [Fax]

dmontpas@prichardyoungllp.com



**CONFIDENTIAL
ATTORNEY CLIENT PRIVILEGED AND WORK PRODUCT PRIVILEGED**

The contents of this email and all attachments are intended as confidential communications protected by attorney-client privilege. If you are not the intended recipient of this email, please immediately delete it and any attachments to it. If you received this email in error, please contact David Montpas (dmontpas@prichardyoungllp.com).

Molly Thomas-Jensen
DEPUTY DIRECTOR OF AFFIRMATIVE LITIGATION
SHE/HER

EVERYTOWN LAW
EVERYTOWNLAW.ORG | [@EVERYTOWN](https://twitter.com/EVERYTOWN)
MTHOMASJENSEN@EVERYTOWN.ORG
646-324-8226

This electronic message transmission contains information from Everytown Law which may be confidential or privileged. If you are not the intended recipient, please be aware that any disclosure, copying, distribution, or use of the contents of this information is prohibited. If you have received this electronic transmission in error, please notify us by telephone (646-324-8226) or by electronic mail (mthomasjensen@everytown.org) immediately.

Molly Thomas-Jensen

DEPUTY DIRECTOR OF AFFIRMATIVE LITIGATION
SHE/HER

EVERYTOWN LAW

EVERYTOWNLAW.ORG | @EVERYTOWN

MTHOMASJENSEN@EVERYTOWN.ORG

646-324-8226

This electronic message transmission contains information from Everytown Law which may be confidential or privileged. If you are not the intended recipient, please be aware that any disclosure, copying, distribution, or use of the contents of this information is prohibited. If you have received this electronic transmission in error, please notify us by telephone (646-324-8226) or by electronic mail (mthomasjensen@everytown.org) immediately.

Molly Thomas-Jensen

DEPUTY DIRECTOR OF AFFIRMATIVE LITIGATION
SHE/HER

EVERYTOWN LAW

EVERYTOWNLAW.ORG | @EVERYTOWN

MTHOMASJENSEN@EVERYTOWN.ORG

646-324-8226

This electronic message transmission contains information from Everytown Law which may be confidential or privileged. If you are not the intended recipient, please be aware that any disclosure, copying, distribution, or use of the contents of this information is prohibited. If you have received this electronic transmission in error, please notify us by telephone (646-324-8226) or by electronic mail (mthomasjensen@everytown.org) immediately.